

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
56th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By **CHAIRMAN BRUCE SIMON**, on January 26, 1999 at 8:00 A.M., in Room 104 Capitol.

**ROLL CALL**

**Members Present:**

Rep. Bruce Simon, Chairman (R)  
Rep. Bob Pavlovich, Vice Chairman (D)  
Rep. Paul Sliter, Vice Chairman (R)  
Rep. Joe Barnett (R)  
Rep. Rod Bitney (R)  
Rep. Sylvia Bookout-Reinicke (R)  
Rep. Roy Brown (R)  
Rep. David Ewer (D)  
Rep. Carol C. Juneau (D)  
Rep. Billie Krenzler (D)  
Rep. Bob Lawson (R)  
Rep. Gay Ann Masolo (R)  
Rep. Gary Matthews (D)  
Rep. Joe McKenney (R)  
Rep. Carolyn Squires (D)  
Rep. Jay Stovall (R)  
Rep. Cliff Trexler (R)  
Rep. Carley Tuss (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Stephen Maly, Legislative Branch  
Pati O'Reilly, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 294, HB 312, HB 320, HB 328, SB 21, 1/18/1999

Executive Action: SB 21, HB 121, HB 245, HB 297,  
HB 302, HB 306, HB 321, HB 322

**HEARING ON SB 21**

**Opening Statement by Sponsor:** Senator Shea, SD 18 introduced SB 21.

***{Tape : 1; Side : A; Approx. Time Counter : 0 - 35}***

**Proponents' Testimony:**

Tom Lewis, Dept. of Environmental Quality

***{Tape : 1; Side : A; Approx. Time Counter : 35 - 38}***

John Maloney, Dept of Labor, Chief of Occupational Safety.

***{Tape : 1; Side : A; Approx. Time Counter : 38 - 66}***

**Opponents' Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:** Senator Shea closed SB 21. Rep. Gallus to carry in House.

***{Tape : 1; Side : A; Approx. Time Counter : 66 - 73}***

**HEARING ON HB 328**

**Opening Statement by Sponsor:** Representative Ahner, HD 61 introduced HB 328.

***{Tape : 1; Side : A; Approx. Time Counter : 73 - 88}***

**Proponents' Testimony:**

Jeff Rycroft, Express Personnel Services

**EXHIBIT** (buh20a01) **EXHIBIT** (buh20a02) **EXHIBIT** (buh20a03)

**EXHIBIT** (buh20a04) **EXHIBIT** (buh20a05) **EXHIBIT** (buh20a06)

**EXHIBIT** (buh20a07) **EXHIBIT** (buh20a08) **EXHIBIT** (buh20a09)

**EXHIBIT** (buh20a10) **EXHIBIT** (buh20a11)

***{Tape : 1; Side : A; Approx. Time Counter : 88 - 132}***

Roger Koopman, Employment Agency, Kalispell, MT **EXHIBIT** (buh20a12)

***{Tape : 1; Side : A; Approx. Time Counter : 132 - 217}***

Jim Nuys, Agency owner. **EXHIBIT** (buh20a13)

***{Tape : 1; Side : A; Approx. Time Counter : 217 - 238}***

Lynne Johnson, Express Services, Bozeman, MT **EXHIBIT**(buh20a14)  
{Tape : 1; Side : A; Approx. Time Counter : 238 - 260}

**Opponents' Testimony:**

Jerry Driscoll, Montana Building and Construction Council.  
{Tape : 1; Side : A; Approx. Time Counter : 260 - 336}

Darrell Holzer, AFL-CIO  
{Tape : 1; Side : A; Approx. Time Counter : 336 - 363}

Gene Fenderson, Montana Joint Hiways and Heavy Committee  
{Tape : 1; Side : A; Approx. Time Counter : 363 - 403}

**Informational Witness;**

John Moen, Chief, UIC Benefits **EXHIBIT**(buh20a15)  
{Tape : 1; Side : A; Approx. Time Counter : 403 - 500}

**Questions from Committee Members and Responses:**

Reps. Barnett, Krenzler, Barnett, Pavlovich, Bookout, Squires,  
Ewer, Bitney, Matthews, Tuss and Simon question witnesses.  
{Tape : 1; Side : B; Approx. Time Counter : 0 - 500}  
{Tape : 2; Side : A; Approx. Time Counter : 0 -92}

**Closing by Sponsor:** Rep. Ahner closed.  
{Tape : 2; Side : A; Approx. Time Counter : 0 - 108}

**HEARING ON HB 312**

**Opening Statement by Sponsor:** Rep. Galvin-Halcro, HD 48  
introduced HB 312.  
{Tape : 2; Side : A; Approx. Time Counter : 108 - 131}

**Proponents' Testimony:**

Gene Fenderson, Montana Joint Hiways and Heavy Const.  
{Tape : 2; Side : A; Approx. Time Counter : 131 - 156}

Pat Clinch, Montana Council of Firefighters  
{Tape : 2; Side : A; Approx. Time Counter : 156 - 166}

Don Kinnon, AFSCME  
{Tape : 2; Side : A; Approx. Time Counter : 166 - 190}

Tom Snyder, Montana Public Employees Assn.

**{Tape : 2; Side : A; Approx. Time Counter : 190 - 201}**

Darrell Holzer, AFL-CIO

**{Tape : 2; Side : A; Approx. Time Counter : 201 - 206}**

Phil Campbell, MEA

**{Tape : 2; Side : A; Approx. Time Counter : 206 - 231}**

**Opponents' Testimony:**

Alec Hanson, Montana League of Cities and Towns **EXHIBIT** (buh20a17)

**{Tape : 2; Side : A; Approx. Time Counter : 231 - 280}**

Jack Homstrom, MAICO

**{Tape : 2; Side : A; Approx. Time Counter : 280 - 340}**

Janie McCall, City of Billings

**{Tape : 2; Side : A; Approx. Time Counter : 340 - 352}**

John McEwen, Personal Officer, Dept of Administration

**EXHIBIT** (buh20a16)

**{Tape : 2; Side : A; Approx. Time Counter : 352 - 378}**

**Questions from Committee Members and Responses:**

Reps. Bookout, Simon, Barnett question witnesses.

**{Tape : 2; Side : A; Approx. Time Counter : 378 - 500}**

**Closing by Sponsor:** Rep. Galvin-Halcro closed HB 312.

**{Tape : 2; Side : B; Approx. Time Counter : 0 - 25}**

**HEARING ON HB 320**

**Opening Statement by Sponsor:** Rep. Ewer, HD 53 introduced HB 320.

**{Tape : 2; Side : B; Approx. Time Counter : 25 - 65}**

**Proponents' Testimony:**

Anna Miller, Dept of Natural Resources **EXHIBIT** (buh20a18)

**EXHIBIT** (buh20a19) **EXHIBIT** (buh20a20)

**{Tape : 2; Side : B; Approx. Time Counter : 65 - 102}**

Gene Huntington, Investments Broker

**{Tape : 2; Side : B; Approx. Time Counter : 102 - 119}**

Jim Kimball, Montana Tech Council

**{Tape : 2; Side : B; Approx. Time Counter : 119 - 126}**

**Opponents' Testimony:** None

**Questions from Committee Members and Responses:**

Reps. Krenzler, Simon, Brown, Stovall, McKenney questions witnesses.

**{Tape : 2; Side : B; Approx. Time Counter : 126 - 348}**

**Closing by Sponsor:** Rep. Ewer closed HB 320.

**{Tape : 2; Side : B; Approx. Time Counter : 348 - 366}**

EXECUTIVE ACTION ON SB 21

Motion/Vote: REP. KRENZLER moved that SB 21 BE CONCURRED IN.  
Motion carried unanimously.

**{Tape : 2; Side : B; Approx. Time Counter : 366 - 403}**

EXECUTIVE ACTION ON HB 321 AND 322

Motion/Vote: REP. TUSS moved that HB 322 and HB 321 DO PASS.  
Motion carried unanimously.

**{Tape : 2; Side : B; Approx. Time Counter : 403 - 447}**

**EXECUTIVE ACTION ON HB 297**

**Motion/Vote:** REP. EWER moved that HB 297 BE TABLED. Motion carried 17-1 with Pavlovich voting no.

**{Tape : 2; Side : B; Approx. Time Counter : 447 - 473}**

**EXECUTIVE ACTION ON HB 306**

**Motion:** REP. BARNETT moved that HB 306 DO PASS.

**{Tape : 2; Side : B; Approx. Time Counter : 473 - 478}**

**Substitute Motion/Vote:** REP. TREXLER made a substitute motion that HB 306 BE TABLED. Substitute motion carried 16-2 with Pavlovich and Simon voting no.

*{Tape : 2; Side : B; Approx. Time Counter : 478 - 500}*

EXECUTIVE ACTION ON HB 302

Motion/Vote: REP. KRENZLER moved that HB 302 DO PASS. Motion carried unanimously.

*{Tape : 3; Side : A; Approx. Time Counter : 0 - 54}*

EXECUTIVE ACTION ON HB 121

Motion: REP. KRENZLER moved that HB 121 DO PASS.

*{Tape : 3; Side : A; Approx. Time Counter : 54 - 69}*

Motion/Vote: REP. KRENZLER moved that HB 121 BE AMENDED.

**EXHIBIT**(buh20a21) Motion carried unanimously.

*{Tape : 3; Side : A; Approx. Time Counter : 69 - 81}*

Motion/Vote: REP. JUNEAU moved that HB 121 DO PASS AS AMENDED.

Motion carried unanimously.

*{Tape : 3; Side : A; Approx. Time Counter : 81 - 86}*

EXECUTIVE ACTION ON HB 245

Motion: REP. SIMON moved that HB 245 DO PASS.

*{Tape : 3; Side : A; Approx. Time Counter : 86 - 90}*

Motion/Vote: REP. SIMON moved that HB 245 BE AMENDED. Motion carried unanimously. **EXHIBIT**(buh20a22)

*{Tape : 3; Side : A; Approx. Time Counter : 90 - 100}*

Motion/Vote: REP. SIMON moved that HB 245 DO PASS AS AMENDED.

Motion carried unanimously.

*{Tape : 3; Side : A; Approx. Time Counter : 100 - 155}*

HEARING ON HB 294

Opening Statement by Sponsor: Rep. Lawson, HD 80 introduced HB 294. *{Tape : 3; Side : A; Approx. Time Counter : 155 - 257}*

**Proponents' Testimony:**

Frank Cote, Dep. Director of Insurance, State Auditor  
***{Tape : 3; Side : A; Approx. Time Counter : 257 - 274}***

**Opponents' Testimony:**

Roger McGlen, Independent Insurance Agents of Montana  
***{Tape : 3; Side : A; Approx. Time Counter : 274 - 400}***

Greg Van Horrsen, State Farm Insurance  
***{Tape : 3; Side : A; Approx. Time Counter : 400 - 498}***

Mark Baker, National Assn. of Independent Insurers.  
***{Tape : 3; Side : A; Approx. Time Counter : 498 - 500}***

John Metropolis, Farmers Insurance Group  
***{Tape : 3; Side : B; Approx. Time Counter : 0 - 6}***

Jacqueline Lenmark, AIA  
***{Tape : 3; Side : B; Approx. Time Counter : 6 - 10}***

**Questions from Committee Members and Responses:**

Reps. Barnett, Krenzler, Brown, Ewer, Pavlovich, Trexler, Bookout  
and Simon question witnesses.  
***{Tape : 3; Side : B; Approx. Time Counter : 10 - 156}***

**Closing by Sponsor:** Rep. Lawson closed HB 328.  
***{Tape : 3; Side : B; Approx. Time Counter : 156 - 180}***

**ADJOURNMENT**

Adjournment: 11:20 P.M.

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REP. BRUCE SIMON, Chairman

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PATI O'REILLY, Secretary

BS/PO

**EXHIBIT** (buh20aad)